

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

NICHOLE LUTZ,

Plaintiff,

v.

Case No. 23-CV-974

FROEDTERT HEALTH, INC.,

Defendant.

ORDER

Before the court is plaintiff Nichole Lutz's motion for class certification. (ECF No. 99.) The parties subsequently stipulated to class certification (ECF No. 120) and submitted a revised proposed class notice (ECF No. 122).

Based on the stipulation of the parties and the court's independent review of the record, the motion for class certification is **granted**. The court finds that "the class is so numerous that joinder of all members is impracticable," "there are questions of law or fact common to the class," "the claims or defenses of the representative parties are typical of the claims or defenses of the class," and plaintiff Nichole Lutz "will fairly and adequately protect the interests of the class." Fed. R. Civ. P. 23(a). The court further finds "that the questions of law or fact common to class members predominate over any questions affecting only individual members, and that a class action is superior to other

available methods for fairly and efficiently adjudicating the controversy.” Fed. R. Civ. P. 23(b)(3).

The first subclass is defined as, “All hourly, non-exempt employees employed by Froedtert who, for the time period after November 7, 2021, to the present, during any workweek worked over 40 hours and received overtime pay at a rate lower than time and a half the regular rate earned for the workweek.”

The second subclass is defined as:

All hourly, non-exempt employees employed by Froedtert who, for the time period after November 7, 2021, to the present, during any workweek worked over 40 hours and also received pay for working on a holiday, in that same workweek, that was computed at an hourly rate lower than time and a half the regular rate earned that same workweek.

Attorney Yingtao Ho is appointed as class counsel.

Notice to the class members in the form proposed by the parties (ECF No. 122) is approved.

Class counsel is directed to provide the Notice of Class Action Lawsuit by United States mail, electronic means, or other appropriate means, to all class members who can be identified through reasonable effort.

SO ORDERED.

Dated at Milwaukee, Wisconsin this 9th day of December, 2024.


WILLIAM E. DUFFIN
U.S. Magistrate Judge